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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 3665/2024**

CHANDAN & ORS.

.....Petitioners

Through: Mr. Manoj Godara with Mr. Aakash
Godara, Advocates and petitioners in
court.

versus

STATE N C T OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjay Lao, Standing Counsel for
the State with SI Paramjeet, P.S.:
Ranhola.
R-2 in court.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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25.11.2024

CRL.M.A. 35141/2024

Exemption granted, subject to just exceptions.

The application stands disposed-of.

W.P.(CRL) 3665/2024

By way of the present petition filed under Article 226/227 of the Constitution of India read with section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioners, who are the former husband and in-laws of the complainant/respondent No. 2, seek quashing of case FIR No. 0500/2024 dated 30.06.2024 registered under sections 498-A/406/34 of the Indian Penal Code, 1860 ('IPC') at P.S.: Ranhola, Delhi.



2. The petition is premised on Memorandum of Understanding dated 19.12.2023 ('MoU'); and Divorce Decree dated 01.03.2024, which is the culmination of petitions under sections 13B(1) and 13B(2) of the Hindu Marriage Act 1955, whereby the parties had sought dissolution of their marriage by mutual consent.
3. The petition is supported by affidavits of the petitioners, as also of respondent No. 2, alongwith proof of their IDs.
4. The contesting parties are present in court. Their credentials have been verified and they have also been identified by the Investigating Officer.
5. The parties have confirmed that no child was born from the wed-lock.
6. No appeal is stated to have been filed from the divorce decree.
7. Furthermore, as pointed-out by Mr. Manoj Godara, learned counsel appearing for the petitioners, in fact the subject FIR has come to be registered on 30.06.2024, which is after the date on which the parties have already been granted divorced by mutual consent.
8. The court has queried respondent No. 2, who confirms that she has taken divorce by mutual consent; and that a MoU has been signed between her and petitioner No.1; and that she has settled all her claims including towards maintenance (past, present and future), *stridhan*, dowry articles, jewellery, permanent alimony, etc., in compliance of the terms of the MoU. Respondent No. 2 confirms that all aspects of the MoU have now been performed.
9. Mr. Sanjay Lao, learned Standing Counsel appearing on behalf of the State confirms that the State has no objection to the subject FIR being quashed.



10. In the circumstances, in line with the law laid down by the Supreme Court in *Gian Singh vs. State of Punjab & Anr.* reported as (2012) 10 SCC 303 as also in *Narinder Singh & Ors. vs. State of Punjab & Anr.* reported as (2014) 6 SCC 466, this court sees no reason why the subject FIR and all proceedings emanating therefrom should not be quashed. This court is of the view that in light of the settlement between the contesting parties, continuing with the subject FIR and all subsequent proceedings would be an exercise in futility and would not be conducive to peace and harmony between the parties.
11. Accordingly, case FIR No. 0500/2024 dated 30.06.2024 registered under sections 498-A/406/34 IPC at P.S.: Ranhola, Delhi is quashed. All proceedings arising therefrom also stand closed.
12. The petition stands disposed-of.
13. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

NOVEMBER 25, 2024

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